

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1579-434

C# M#

KUMAR et al

JUL 17 2003

Group Art Unit: 1644

Serial No. 09/780,612

Examiner: Haddad, M.

Filed: February 12, 2001

Date: July 17, 2003

Title: METHOD OF TREATING DISORDERS OF THE EYE

RECEIVED

JUL 18 2003

TECH CENTER 1600/2900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson



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For: METHOD OF TREATING DISORDERS OF THE EYE

* * * * *

July 17, 2003

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's requirement for restriction, set forth in the Office Action dated June 17, 2003, Applicants elect the subject matter of Group I (claims 1-8) for prosecution in this application. That election is made with traverse and the Examiner is urged to reconsider the requirement for restriction and to rejoin at least the subject matter of Groups I and II.

It is submitted that no undue burden would be placed on the Examiner from the standpoint of searching if Groups I and II were rejoined as the two Groups are classed and subclassed identically.

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Further, to require restriction between the subject matter of Group I and that of Group II denies Applicants the opportunity to prosecute generic claim 1. Applicants have disclosed that inhibition of the interaction between integrin receptor and extracellular matrix provides a means for treating diseases of the eye characterized by elevated intraocular pressure. Applicants are entitled to receive an Action on the merits of a claim drawn to such a method. Given the present restriction requirement, Applicants are denied that right.

In view of the above, the Examiner is urged to reconsider the restriction requirement.

Respectfully submitted,

NIXON & VANDERHYE, P.C.

By Mary J. Wilson
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